IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 969 of 2005

Between:

1 S. Venkateshwarlu, S/o. Sri Durgaiah,
aged about 36 yrs, H.No. 5-6-391, Kapuwada,
Karimnagar Post and District.

2 Anjaiah, S/o. Narayana,
aged about 35 yrs, H.No. 5-3-114,
Sivalayam Road, Ahmedpura,
Karimnagar, Karimnagar District.

....PETITIONERS

AND

1 The Chairman and Managing Director,
Northern Power Distribution company Ltd.
Warangal, Warangal District.

2 The Chief General Manager (HRD), H.No. 1-1-478 & 503,
A.P.N.P.D.C.L. Chaitanyapuri, Warangal.

3 Superintending Engineer (Operation) N.P.D.C.L.,
Karimnagar.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ of Mandamus or any other appropriate writ or order or direction declaring the impugned action of the respondents in letter no. dt. 09-9-

2004 as illegal arbitrary and in violation of principles of natural justice apart from violative of fundamental rights guaranteed under article 14, 16 & 21 of the Constitution of India with consequential direction with to the respondent forth with appoint the petitioners as LDC or any suitable post and pass such other order or orders.

Counsel for the Petitioner: MR.DASARI VIJAYA KUMAR

Counsel for the Respondents: MR.S.KISHORE, STANDING COUNSEL FOR APSEB

The Court made the following :

ORDER

Heard both sides and at their request, the main Writ Petition itself is taken up for disposal.

The petitioner herein filed this Writ Petition *inter alia* seeking to assail the impugned order, dated
09-09-2004, rejecting the petitioner's claim without properly verifying the material.

The case of the petitioner is that without properly verifying the material and relevant aspects, the impugned order has been passed. During the course of arguments, it is represented by the learned counsel appearing on either side that in the similar circumstances, this Court has disposed of similar Writ Petition in W.P.No.25554 of 2003 as per the order, dated 12-08-2004 allowing the same with a direction to pass fresh orders.

Following the same, this Writ Petition is accordingly allowed setting aside the impugned order, dated 09-9-2004. The respondents are

directed to verify the service certificates issued by the contractors and countersigned by the officials of the Company with reference to the agreements under which contract labours are engaged as on18-05-1997 and consider the case of the petitioner for appointment in accordance with B.P.Ms.No.36, dated 18-05-1997 and pass appropriate orders in accordance with law within a period of two months from today. No costs.

18-03-2005

Hsd

That Rule Nisi has been made absolute as above.

Witness, the Hon'ble Sri Devinder Gupta, the Chief Justice on this Friday, the Eighteenth day of March, 2005.

Asst. Registrar

To

1 The Chairman and Managing Director,
Northern Power Distribution company Ltd.
Warangal, Warangal District.

2 The Chief General Manager (HRD), H.No. 1-1-478 & 503,
A.P.N.P.D.C.L. Chaitanyapuri, Warangal.

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